

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-10 are pending in this application. Claims 1 and 6, which are independent, are hereby amended. Support for this amendment is provided throughout the specification. No new matter has been introduced by this amendment. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,278,838 to Ng, et al. in view of U.S. Patent No. 5,758,057 to Baba, et al.

Claim 1, as amended, recites, *inter alia*:

“...a plurality of recording and reproducing means for recording and/or reproducing data containing video and/or audio data on and/or from a nonlinearly-accessible recording medium...

...wherein said plurality of recording and reproducing means further includes:

at least one parity data recording and reproducing means for
recording and/or reproducing parity data, and

wherein said plurality of input and output processing means further includes:

input processing means for dividing said data inputted from the outside to transfer divided data to said plurality of recording and reproducing means, for generating an error-correcting code of said data, and for transferring said error-correcting code to at least one of said parity data recording and reproducing means; and

output processing means for correcting erroneous data by using
said error-correcting code outputted from said parity data recording
and reproducing means..." (emphasis added)

As understood by Applicant U.S. Patent No. 5,278,838 to Ng, et al. (hereinafter, merely "Ng") relates to rebuilding data of an array to remove the degradation of fault tolerance in a redundant array of disk drives due to error conditions.

As understood by Applicant, U.S. Patent No. 5,758,057 to Baba, et al. (hereinafter, merely "Baba") relates to the generation and transmission of data stored in a faulty disk drive when one of a plurality of disk drives is faulty due to an internal calibration error or an error of the disk drive, or when the faulty disk drive does not respond within a predetermined length of time set in a timeout table.

Applicant respectfully submits that nothing has been found in Ng or Baba, taken alone or in combination, that would teach or disclose the above-identified features of independent claim 1. Specifically, neither Ng nor Baba disclose a plurality of recording and reproducing means for recording and/or reproducing data containing video and/or audio data on and/or from a nonlinearly-accessible recording medium wherein said plurality of recording and reproducing means further includes at least one parity data recording and reproducing means for recording and/or reproducing parity data, and wherein said plurality of input and output

processing means further includes input processing means for dividing said data inputted from the outside to transfer divided data to said plurality of recording and reproducing means, for generating an error-correcting code of said data, and for transferring said error-correcting code to at least one of said parity data recording and reproducing means; and output processing means for correcting erroneous data by using said error-correcting code outputted from said parity data recording and reproducing means, as recited in claim 1.

Therefore, claim 1 is patentable.

For reason similar to those described above, claim 6 is also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By Thomas F. Presson
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800